

MESSAGE NO: 7172305 MESSAGE DATE: 06/21/2017

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 80 FR 55092 FR CITE DATE: 09/14/2015

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-552-801

EFFECTIVE DATE: 09/14/2015 COURT CASE #:

PERIOD OF REVIEW: 08/01/2013 TO 07/31/2014

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Rescission of administrative review in part of antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam (A-552-801)

1. Commerce has rescinded the administrative review of the antidumping/countervailing duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam") (A-552-801) covering the period 08/01/2013 through 07/31/2014 in part with respect to the firms listed below. You are to assess antidumping duties on this merchandise entered, or withdrawn from warehouse, for consumption during the period 08/01/2013 through 07/31/2014 at the cash deposit rate required at the time of entry.

Liquidate all entries for the following firms:

Bien Dong Seafood Co., Ltd.  
Case number A-552-801-034

Vinh Hoan Corporation  
Case number A-552-801-050

Thanh Hung Co., Ltd.  
Case number A-552-801-053

Hung Vuong Seafood Joint Stock Company  
No case number was in place for this company during the period of review.

Vinh Long Import-Export Company (also known as Vinh Long or Imex Cuu Long)  
No case number was in place for this company during the period of review.

For the companies listed above without listed case numbers, entries may have been made under A-552-801-000 or other company-specific case numbers.

2. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the notice of rescission in part of administrative

review (80 FR 55092, 09/14/2015). Unless instructed otherwise, for all other shipments of certain frozen fish fillets from Vietnam you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

3. The injunction with court number 15-00205 discussed in message numbers 5259306, dated 09/16/2015, is applicable to the entries produced and exported by Nam Phuong Seafood Co., Ltd., or produced and exported by NTACO Corporation during the period 08/01/2013 through 01/31/2014. Accordingly, continue to suspend liquidation of such entries until liquidation instructions are issued.

The injunction with court number 16-00071 discussed in message numbers 6126305, dated 05/05/2016, is applicable to the entries that: (1) were the subject of the Department of Commerce's eleventh antidumping duty administrative review, for which the final results were published as Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Final Results and Partial Rescission of Antidumping Duty Administrative Review; 2013-2014, 81 Fed. Reg. 17,435 (March 29, 2016), hereinafter "Final Results"; (2) were entered, or withdrawn from warehouse, for consumption between August 1, 2013, through July 31, 2014; (3) were exported by Can Tho Import-Export Joint Stock Company, and (4) remain unliquidated effective immediately. Accordingly, continue to suspend liquidation of such entries until liquidation instructions are issued.

The injunction with court number 16-00072 discussed in message numbers 6146302, dated 05/25/2016, is applicable to the entries that: (1) Are subject to the Final Results of the Antidumping Duty Administrative Review published as Certain Frozen Fish Fillets From the Socialist Republic of Vietnam, 81 Fed. Reg. 17435 (Dept. Commerce March 29, 2016) (final admin. review), Case No. A-552-801; (2) Were exported to the United States by An Giang Fisheries Import and Export Joint Stock Company, Cuu Long Fish Joint Stock Company, International Development and Investment Corporation, Thuan An Production Trading and Services Co., Ltd., and Viet Phu Foods and Fish Corporation; (3) Were entered, or withdrawn from warehouse, for consumption on or after August 1, 2013 through July 31, 2014; and (4) Remain unliquidated as of 5:00p.m. on the day that this order is entered. Accordingly, continue to suspend liquidation of such entries until liquidation instructions are issued.

4. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication

of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties are required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

5. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:JB.)

7. There are no restrictions on the release of this information.

Alexander Amdur

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party